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WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE-OPELOUSAS DIVISION

JAMES M. SMITH, JR.,  
ANGELIQUE SMITH, INDIVIDUALLY  
AND ON BEHALF OF THEIR MINOR  
CHILD, GRANT SMITH

CIVIL ACTION NO. 08-1554

VERSUS

JUDGE HAIK

RONNIE STELLY, MICHAEL DUNN,  
ERIC HOLLIER, MICHAEL COUVILLION,  
PATRICK HARDY, BETSY M. LEONARD,  
AND MICHAEL W. NEUSTROM

MAGISTRATE JUDGE METHVIN

***ORDER SETTING RULE 16 STATUS CONFERENCE***

**IT IS HEREBY ORDERED** that a status conference pursuant to FRCP Rule 16 will be conducted in this case.

**WHAT:** Rule 16 Status Conference

**WHEN:** March 26, 2009, at 10:00 a.m.

**WHERE/HOW:** Telephone - ***PLAINTIFFS' COUNSEL*** to initiate conference call.

**WHO:** At least one attorney of record for each party shall participate in the telephone conference with his/her calendar.<sup>1</sup>

**IT IS FURTHER ORDERED** that the attorney participating in the conference shall have authority to enter into stipulations and to make admissions regarding all matters involved in this litigation. That attorney shall also be prepared to discuss the Scheduling Order as well as the following:

- (1) the formulation and simplification of the issues, including the elimination of frivolous claims or defenses;
- (2) the necessity or desirability of amendments to the pleadings;

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<sup>1</sup> Failure to appear will result in the imposition of appropriate sanctions, including a possible certification of contempt of court, fines, and/or assessment of costs and expenses.

- (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof, stipulations regarding the authenticity of documents, and advance rulings from the court on the admissibility of evidence;
- (4) the control and scheduling of discovery, including orders affecting disclosures and discovery pursuant to Rule 26 and Rules 29 through 37;
- (5) the necessity of provisions for the disclosure of electronically stored information and agreements for claims of privilege;
- (6) the identification of witnesses and documents;
- (7) the date or dates for further conferences;
- (8) the advisability of referring matters to a magistrate judge;
- (9) settlement and the use of special procedures to assist in resolving the litigation;
- (10) an order directing a party or parties to present issues early in the litigation which could be the basis for summary judgment under Rule 56;
- (11) pending motions; and
- (12) such other matters as may facilitate the just, speedy, and inexpensive disposition of the action.

Signed at Lafayette, Louisiana on March <sup>3</sup>~~2~~, 2009.



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**Mildred E. Methvin**  
**United States Magistrate Judge**  
**800 Lafayette St., Suite 3500**  
**Lafayette, LA 70501**  
**(337) 593-5140      FAX 593-5155**